

Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 CIAE-00 INR-10 NSAE-00
INRE-00 L-03 EB-08 TRSE-00 OMB-01 ABF-01 SSO-00
/050 W

-----074576 181646Z /50

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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC IMMEDIATE 2580

INFO AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY VIENNA

USMISSION GENEVA

UNCLAS USUN NEW YORK 02936

ROME FOR FODAG

PARIS FOR NESCO

VIENNA FOR IAEA

E.O. 11652: N/A

TAGS: AORG, UN

SUBJECT: UN ADMINISTRATION: PROVISIONAL CESSATION OF
REIMBURSEMENTS FOR LUMP-SUM PENSION PAYMENTS

THERE FOLLOWS TEXT OF DIRECTIVE TO THE STAFF ISSUED BY
SYG WALDHEIM ON 16 JULY UNDER DOCUMENT NUMBER ST/SGB/167:

BEGIN QUOTE:

1. QUESTIONS HAVE BEEN RAISED RECENTLY AS TO THE LEGAL-
ITY OF REIMBURSING, OUT OF THE TAX EQUALIZATION FUND, THE
NATIONAL TAXES PAID BY RETIRED OR RETIRING STAFF MEMBERS
ON THE ONE-THIRD LUMP SUM PAYMENT WHICH THEY ARE ENTITLED
TO OPT TO RECEIVE OUT OF THE JOINT STAFF PENSION FUND.

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2. CONSEQUENTLY, LEGAL OPINIONS ON THIS QUESTION WERE
OBTAINED. THESE OPINIONS CONFIRM THAT THERE ARE SERIOUS
GROUNDS FOR QUESTIONING THE LEGALITY OF THE PRACTICE
REFERRED TO, WHICH HAS BEEN IN EFFECT FOR A NUMBER OF
YEARS.

3. IT HAS, THEREFORE, BEEN DECIDED THAT IN ORDER TO CLEAR UP ANY DOUBTS AS TO THE LEGALITY OF THE PRACTICE, THE QUESTION SHOULD BE REFERRED IMMEDIATELY FOR AN ADVISORY OPINION TO THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL. THE TRIBUNAL IS THEREFORE BEING ASKED TO EXAMINE AND ADVISE ON THE QUESTION AS A MATTER OF URGENCY.

4. UNTIL SUCH TIME AS THE TRIBUNAL HAS RENDERED ITS OPINION, IT WILL BE NECESSARY TO SUSPEND IMMEDIATELY, AS FROM 16 JULY 1978, FURTHER REIMBURSEMENTS OUT OF THE TAX EQUALIZATION FUND WITH RESPECT TO NATIONAL TAXES PAID BY RETIRED OR RETIRING STAFF MEMBERS ON ONE-THIRD LUMP SUM PAYMENTS RECEIVED OUT OF THE JOINT STAFF PENSION FUND.

5. THE FOREGOING DECISION DOES NOT AFFECT THE RIGHT OF STAFF MEMBERS TO EXERCISE THE OPTION OF WITHDRAWAL FROM THE PENSION FUND OF THE ONE-THIRD LUMP SUM PAYMENT. IT APPLIES EXCLUSIVELY TO THE QUESTION OF REIMBURSEMENT OF TAXES PAID ON THESE AMOUNTS FROM THE TAX EQUALIZATION FUND. END QUOTE. MC HENRY

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Draft Date: 18 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Handling Restrictions: n/a
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Original Classification: UNCLASSIFIED
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Original Previous Classification: n/a
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Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
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Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1963525
Secure: OPEN
Status: NATIVE
Subject: UN ADMINISTRATION: PROVISIONAL CESSATION OF REIMBURSEMENTS FOR LUMP-SUM PENSION PAYMENTS THERE FOLLOWS
TEXT OF DIRECTIVE TO THE STAFF ISSUE
TAGS: AORG, UN
To: STATE
Type: TE
vdkgvkey: odbc://SAS/SAS.dbo.SAS_Docs/c9c54271-c288-dd11-92da-001cc4696bcc
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